

Remarks/Arguments

Claims 1-17 are pending in the application. Of the claims, claims 14-17 are withdrawn from consideration. Claims 1-13 are rejected. This application contains claims 14-17 drawn to an invention nonelected without traverse. The Office Action provides that a complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action. Applicant has accordingly cancelled claims 14-17.

Claims 1-4 are rejected under 35 U.S.C 103(a) as being unpatentable over Kobussen et al. (US Patent 6,245,369) (hereinafter Kobussen) in view of Sanderson et al. (US Patent 5,783,237) (hereinafter Sanderson) and Ricklefs et al. (US Patent 5,632,153) (hereinafter Ricklefs). Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobussen in view of Sanderson and Ricklefs, in further view of Erskine (US 3,444,078). Claims 6-8 are are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobussen in view of Sanderson and Ricklefs, in further view of Keil et al. (US 3,073,702) (hereinafter Keil). Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobussen in view of Sanderson, Ricklefs, and Keil, in further view of Hignett et al. (US 4,536,313) (hereinafter Hignett). Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobussen in view of Sanderson, Ricklefs, and Keil and in further view of Barber et al. (US 2003/0183092) (hereinafter Barber). Claims 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kobussen in view of Sanderson and Ricklefs, in further view of Riordan (US 4,094,237). Claim 1 has been amended, and support for the amendment can be found in paragraphs [0020] of Applicant's Specification as provided

in Applicant's U.S. Patent Application Pub. No. 2007/0275142 A1. Claims 2 and 5 have been cancelled, and claims 6 - 9 have been amended to broaden the scope of the claims and in terms of dependency. No new matter has been added. The rejections will be addressed in turn below.

Independent claim 1 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobussen in view of Sanderson and Ricklefs. Applicant cannot agree because neither Kobussen, Sanderson nor Ricklefs, alone or in combination, discloses each and every element of amended independent claim 1. Claim 1, as amended requires, in part, "wherein the aqueous salt solution is automatedly monitored by measuring the concentration of a specific substance of the collected aqueous salt solution; and wherein the quality of the aqueous salt solution is automatedly adjusted by an intelligent control unit." Neither Kobussen, Sanderson nor Ricklefs, alone or in combination, provide any disclosure of either providing automated monitoring of an aqueous salt solution by measuring a specific substance of the solution or providing automated adjustment of an aqueous salt solution by an intelligent control unit.

Kobussen discloses a conveyor system 34 having a brine circuit system 74 including, inter alia, nozzles 82, a brine tank 84, and a brine collection tray 86 wherein the excess brine from the nozzles 82 flows into the collection tray 86 and into the brine tank 84. The excess brine is recirculated through the system and a controller 92, via connections with, inter alia, lasers/sensors 88, linker motor 98 which monitors the speed of the rate of discharge of the strand 26 through the system and the diameter of a sausage strand 26. Kobussen is silent as to providing automated monitoring of an aqueous

salt solution by measuring a specific substance of the solution or providing automated adjustment of an aqueous salt solution by an intelligent control unit, as required by amended claim 1. (See Kobussen, col. 4 line 11 - col. 5, line 46).

Sanderson is unable to cure Kobussen and meet the above limitations of amended claim 1. In contrast, Sanderson discloses a process of recycling salt solution in the manufacture of cheese curd wherein the salty whey 3 effluent is filtered by a nanofiltration unit. Water is optionally added and the remaining solution is introduced into an evaporator 6 before being passed through a heat exchanger 8 and thereafter a salt solution purifier 9 and again passed through a heat exchanger 11. Sanderson fails to provide any disclosure of providing automated monitoring of an aqueous salt solution by measuring a specific substance of the solution or providing automated adjustment of an aqueous salt solution by an intelligent control unit, as required by amended claim 1. (See Sanderson, col. 2, line 35 - col. 4 line 9).

Ricklefs is unable to cure Kobussen and Sanderson to meet the above limitations of amended claim 1. In contrast, Ricklefs discloses a processing arrangement 10 which embodies a brine cleansing system 12 wherein used brine is drained into a storage tank 40, conveyed to a filtration unit 50 configured to remove contaminants and separating suspended solids and is thereafter is conveyed to a refrigerated brine storage tank 58. An automatic turbidity monitor can then be positioned in the conduit 56 conveying the brine to the refrigerated storage tank 58 to monitor and record the turbidity of the brine. Ricklefs does not provide any disclosure of providing

automated monitoring of the brine by measuring a specific substance of the brine solution or providing automated adjustment of an aqueous brine solution by an intelligent control unit, as required by amended claim 1. (See Ricklefs, col. 4, line 27 - col. 6 line 18).

Therefore, because neither Kobussen, Sanderson nor Ricklefs, alone or in combination, provide any disclosure of either providing automated monitoring of an aqueous salt solution by measuring a specific substance of the solution or providing automated adjustment of an aqueous salt solution by an intelligent control unit, the cited references fail to combine to meet each and every limitation of Applicant's amended independent claim 1. Thus, Applicant respectfully asserts that claim 1 presents allowable subject matter. Furthermore, claims 3, 4 and 6 - 13 depend upon and incorporate the limitations of amended independent claim 1, either directly or indirectly, and Applicant asserts that those claims are similarly in a form for allowance at the very least due to their dependence upon claim 1.

CONCLUSION

Based upon the above, Applicant asserts that claims 1, 3, 4 and 6 - 13 are in a condition for allowance and respectfully requests the same.

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently

omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Zarley', with a horizontal line extending to the left.

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